

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

**FRANKLIN D. AZAR &
ASSOCIATES, P.C.,**

Plaintiff,

v.

JERRY L. BRYANT, *et al.*,

Defendants.

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Civil Action No.: 4:17-cv-00418-SDJ-KPJ

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On October 2, 2020, the Magistrate Judge entered proposed findings of fact and recommendations (the “Report”) (Dkt. 422) that Plaintiff Franklin D. Azar & Associates, P.C.’s Motion for Default Judgment Against Defendants Jerry L. Bryant, Brad Johnson, Tiffany Averitte, and Paseo Miramar, Inc (the “Motion”) (Dkt. 396) be granted. During a telephone conference on October 8, 2020, Defendant Jerry Bryant acknowledged receipt of the Report. *See* Dkt. 425.

Having received the Report of the United States Magistrate Judge, and no timely objections being filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge’s report as the findings and conclusions of the Court.


Accordingly, the Motion (Dkt. 396) is **GRANTED**.

The Court **ORDERS** as follows:

- 1) Jerry Bryant is **ORDERED** to pay Plaintiff \$750,000.00 in damages;
- 2) Tiffany Averitte is **ORDERED** to pay Plaintiff \$1.00 in damages;

- 3) Brad Johnson is **ORDERED** to pay Plaintiff \$1.00 in damages;
- 4) The Court **DECLARES** that Paseo Miramar is the alter-ego of Jerry Bryant;
- 5) It is **ORDERED** that Plaintiff may recover \$894,846.83 in attorney's fees and litigation expenses against Jerry L. Bryant, Brad Johnson, and Tiffany Averitte jointly and severally;
- 6) Plaintiff is statutorily entitled to post judgment interest and costs; and
- 7) It is **ORDERED** that Plaintiff shall serve, by certified mail, Jerry L. Bryant, Brad Johnson, Tiffany Averitte, and any other interested parties, with this Memorandum Adopting Report and Recommendation of United States Magistrate Judge. This service must be completed by **November 12, 2020**, and the Court must receive notice of such service prior to entry of a Final Judgment.

So ORDERED and SIGNED this 5th day of November, 2020.


SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE